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July 25, 2014

Via ECF

The Honorable Thomas P. Griesa, U.S.D.J.
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *Azogue v. 16 for 8 Hospitality, LLC et al*
Case No. 13-cv-7899
Cabrera v. Num Pang Holdings, LLC et al
Case No. 14-cv-3283

Dear Judge Griesa:

We are counsel to Plaintiff Marlon Cabrera and write to inform the Court of a discovery dispute. Plaintiff Cabrera's case, originally filed under 14-cv-3283, was consolidated with the Azogue matter. On September 23, 2014, I met and conferred with Andrew Singer, Esq., and Jason Klimpl, Esq., via telephone for ten minutes in an attempt to resolve a discovery conflict. Unfortunately, the parties were unable to reach agreement.

Defendants have refused to respond to any of our discovery requests with respect to wage and hour records of Plaintiff Cabrera, insisting that as Cilenti & Cooper, PLLC have been designated class counsel, they need only respond to their discovery. However, since Cilenti & Cooper is not engaged in any formal discovery, Defendants' position necessarily means Plaintiff Cabrera would be unduly prejudiced by delay. In addition, despite the designation of Cilenti & Cooper, PLLC as class counsel, Lee Litigation Group, PLLC must still represent the interests of its individual client, Marlon Cabrera, and the production of discovery by Defendants is a necessary part of this process.

Plaintiff Cabrera is individually represented by counsel; and whether he chooses to participate in any future class settlement (or to object) or to enter into any individual settlement for himself only, he is entitled to discovery production with respect to his own wage and hour records.

We respectfully request that the Court compel the production of responses to Plaintiff's discovery requests.

Respectfully submitted,

/s/ C.K. Lee

C.K. Lee

cc: All parties via ECF